



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,063	10/06/2000	Tsunetake Noma	202708US6	2851
22850	7590	11/30/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LEE, PHILIP C	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/684,063

Applicant(s)

NOMA, TSUNETAKE

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-9 are presented for examination.

#### *Claim Rejections – 35 USC 112*

2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim language in the following claims is not clearly understood:
  - i. As per claim 1, lines 5-8, it is unclear what is the relationship between the user and the information processing apparatuses [i.e. user is operating the apparatus].
  - ii. As per claim 4, lines 6-9, it has the same uncertainty as set forth in claim 1 above.
  - iii. As per claim 5, lines 6-9, it has the same uncertainty as set forth in claim 1 above.

#### *Claim Rejections – 35 USC 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agraharam, U.S. Patent Application Publication 2002/0091771 (hereinafter Agraharam) in view of "Official Notice".

5. As per claim 1 and 4-5, Agraharam taught the invention substantially as claimed for providing a service to a plurality of information processing apparatuses, the service providing apparatus functioning as a shared server on a network, comprising:

storage means for storing a group (e.g. participation list predetermined code) (page 3, paragraphs 36 and 37), and content (page 1, paragraph 15);

reception means for receiving a group request to include a user in one of the plurality of groups (e.g. participation list) (page 3, paragraphs 27 and 36), the request selecting a respective one of the plurality of groups (page 3, paragraph 29), and for receiving a content request (e.g. specifies the multimedia document) transmitting from any of the information processing apparatuses belonging to one of the plurality of groups (page 3, paragraphs 28 and 34);

acquisition means for acquiring data coordinated with the content request (page 1, paragraph 16) and communication means for transmitting the data acquired by said acquisition means simultaneously (page 1, paragraph 16) to those of the information processing apparatuses accessing the shared server and belonging to a same group (e.g. session audience) (page 2, paragraph 19).

6. Agraharam did not specifically teach storing a plurality of groups. "Official Notice" is taken for the concept of shared server servicing a plurality of groups is known and accepted in the art. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include servicing a plurality groups because by doing so it would increase the utilization of the shared server to provide services to multiple groups. Note that Agraharam's system must store a plurality of groups in order to provide services to multiple session audiences.

7. As per claim 2, Agraharam taught the invention substantially as claimed in claim 1 above. Agraharam further taught wherein the data is music data (page 1, paragraph 15), and the content request includes selection of particular music data (page 2, paragraph 17; page 3, paragraphs 34 and 35).

8. As per claim 3, Agraharam taught the invention substantially as claimed in claim 1 above. Agraharam further taught comprising transmission means for receiving text data transmitted from any of the information processing apparatuses accessing the shared server and

transmitting the text data to the least one other information processing apparatus accessing the shared server and belonging to the same group (page 3, paragraph 30).

9. As per claims 6 and 8-9, Agraharam taught the invention substantially as claimed for accessing a service providing apparatus functioning as a shared server, which provides services on a network, together with other information processing apparatuses, comprising:

inputting means for inputting access information for accessing the service providing apparatus to a group (page 3, paragraph 37);

display control means for controlling display of contents of the services transmitted from the service providing apparatus (page 2, paragraphs 20 and 21);

requesting means for selecting a predetermined service from among the services and requesting the service providing apparatus for transmission of the selected service to said information processing apparatus belonging to one of the plurality of groups and the other information processing apparatuses accessing the shared server belonging to the same group (page 3, paragraphs 34 and 36);

reception means for receiving data transmitted from the service providing apparatus (e.g. BWS Center) to the information processing apparatuses belonging the same group (e.g. session audiences) (page 2, paragraphs 19 and 21); and

reproduction means for reproducing the data (page 2, paragraph 19).

10. Agraharam did not specifically teach selecting one of a plurality of groups. "Official Notice" is taken for the concept of shared server servicing a plurality of groups is known and

Art Unit: 2154

accepted in the art. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include servicing a plurality groups for a user to select because by doing so it would increase the utilization of the shared server to provide services to multiple groups.

11. As per claim 7, Agraharam taught the invention substantially as claimed in claim 6 above. Agraharam further taught wherein the services are table information of the data to be provided from the service providing apparatus, and the data is music data (page 1, paragraph 15).

### **CONCLUSION**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kurosawa et al, U.S. Patent 6,047,288, disclosed a system for providing content to a group of participants.

Kobayashi, U.S. Patent 6,567,851, disclosed a method of multicasting to a group of devices.


KAKUTA et al, U.S. Patent 2003/0093474, disclosed a group contacting system.

13. A shortened statutory period for reply to this Office action is set to expire **THREE MONTHS** from the mailing date of this action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone

Art Unit: 2154

number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)350-6121.

P.L.



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100